



COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Jimenez, Director of Health

Administration
Behavioral Health

Clinic Services
Emergency Medical Services
Environmental Health/Animal Services

Public Health
Public Administrator/Public Guardian

December 23, 2016

Tassajara Springs Water System
Attn: Greg Fain
39171 Tassajara Road
Carmel Valley, CA 93924

COMPLIANCE ORDER LETTER, #16-022
TASSAJARA SPRINGS WATER SYSTEM #16 L.D. No. 270-1705

Coliform Bacteria Monitoring and Reporting Violations for November 2016

Dear Mr. Fain,

Section 116650, Chapter 4 of Part 12 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard permit, or order issued thereunder. The Monterey County Health Department, Environmental Health Bureau (hereinafter EHB) under its Delegation agreement with the State Water Resources Control Board and pursuant to Section 116650 of CHSC, hereby issues this citation to the Tassajara Springs Water System (hereinafter Water System) for violation of CHSC, Section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64423.

Statement of Fact

The water system is classified as a community water system which means a public water system which serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents. EHB did not receive the required number of samples during November 2016.

Determination

Title 22, CCR, Section 64421(a)(2), General Requirements states that each water supplier shall collect routine, repeat and replacement samples as required in Sections 64423 and 64424. Section 64423, Routine Sampling states that a water supplier shall collect routine bacteriological water samples based on the known population served as shown in Table 64423-A attached hereto in Appendix 1. The system is currently required to collect at least one sample per month.

The Water System did not collect the required number of bacteriological samples during November 2016. Therefore, EHB has determined that the Water System violated Title 22, CCR, Section 64423 during November 2016.

Directives

The Water System is hereby directed to take the following actions:

1. Comply with Title 22, CCR, Section 64423, in all future monitoring periods. The next sample shall be collected and submitted to a certified laboratory by **December 31, 2016**.
2. On or before **December 31, 2016**, notify all persons served by the Water System of the violation of Section 64423, in conformance with Title 22, CCR, Sections 64463.4 and 64465. Copies of

1270 Natividad Road, Salinas, CA 93906 PHONE (831) 755-4507 FAX (831) 796-8691

<http://www.mtyhd.org/>

Sections 64463.4 and 64465 are included in Appendix 1: Appendix 2: Notification Template shall be used to fulfill this directive. The notice shall be distributed by mail or direct delivery to each employee and posted on a public bulletin board at the facility.

3. Complete Appendix 3: Compliance Certification Form. Submit it together with a copy of the public notification to EHB on or before **January 10, 2017**.

All submittals required by this order shall be addressed to:

Environmental Health Bureau
1270 Natividad Road
Salinas, CA 93906-3198

The EHB reserves the right to make such modifications to this Compliance Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Compliance Order relieves the Water System of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

Parties Bound

This Compliance Order shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

Severability

The directives of this Compliance Order are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

Further Enforcement Action

The California SDWA authorizes the State Board and EHB under its delegation agreement to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board and EHB under its delegation agreement to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of EHB, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of EHB. EHB does not waive any further enforcement action by issuance of this Citation.

If you have any questions, please contact myself at (831)755-8924 or ayalasa@co.monterey.ca.us.

Sincerely,



Sandy Ayala, REHS
Senior Environmental Health Specialist